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 1              (Whereupon, the deposition began at ^

 2    ^ a.m. ^ p.m.) 9:04.

 3              VIDEOGRAPHER:  We are now on the record for

 4    the deposition of Dr. Richard Bishop.  Today is

 5    April 30th, 2009.  The time is 9:03 a.m. counsel,          09:04AM

 6    please identify yourselves for the Record?

 7              MR. DEIHL:  Colin Deihl on behalf of

 8    Cargill.

 9              MR. TRIPLETT:  Eric Triplett on behalf of

10    Cargill.                                                   09:04AM

11              MR. HIXON:  Philip Hixon on behalf of

12    Peterson Farms.

13              MR. JONES:  Tim Jones on behalf of the

14    Tyson defendants.

15              MS. KEATING:  Lisa Keating with an.             09:04AM

16              MS. XIDIS:  Claire Xidis for the State

17    Oklahoma.

18              VIDEOGRAPHER:  On the phone?

19              MR. GRAVES:  James Graves on behalf of

20    George's and George's farms.                              09:05AM

21                         WITNESS

22    having first been duly sworn to testify the truth,

23    the whole truth and nothing but the truth, testified

24    as follows:

25                    DIRECT EXAMINATION
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Exhibit 5

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 1    value per household times the number of house holds,

 2    the smaller -- therefore, the smaller the number of

 3    house holds, the lower the total value estimates.

 4    Incomes is -- the lower income part of this is less

 5    clear.                                                  11:27AM

 6    Q      Why is that?

 7    A      In general we think -- let me rephrase.  Total

 8    value estimates often are sensitive to income, that

 9    is to say, people are willing to pay more, the

10    higher their income but that's not always true, and    11:27AM

11    so sometimes lower incomes may lead to lower total

12    values but not always.

13    Q      The next bullet indicates a possible factor

14    that could lead to total lower total values is

15    faster reduction of injuries.  Do you see that?        11:28AM

16    A      I see that.

17    Q      Would you agree that the time stated for

18    recovery of the resource has an impact on

19    willingness to pay?

20    A      Other things being equal, the longer the        11:28AM

21    injuries last, the larger are the damages.

22    Q      So it's possible that if the solution the

23    State shows in this survey, the alum treatment, had

24    assigned a slower recovery time, the willingness to

25    pay would have been different?                         11:29AM
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 1              MS. XIDIS:  Objection to form.

 2   A

 3                   (Whereupon, the court reporter read

 4   back the previous question.)

 5   A      In our study the alum treatments were part of      11:30AM

 6   what I've been calling the solution, the solution

 7   part of the contingent valuation exercise.  This is

 8   talking about the length of time that the injuries

 9   last.  So if -- that's how I'm interpreting this.

10   If the injuries last five to twenty years, then        11:30AM

11   other things being equal, damages will be less than

12   if the injury lasts a hundred years.

13   Q      Okay, and if the solution resulted in the

14   injuries lasting a smaller amount of time, then that

15   could affect the willingness to pay; correct?          11:30AM

16              MS. XIDIS:  Objection to form.

17   A      It's possible.

18   Q      Just hypothetically, for example, if the State

19   had chosen a solution, in this case that would have

20   cleaned up the resource more quickly, it would have    11:31AM

21   changed the willingness to pay number potentially;

22   correct?

23              MS. XIDIS:  Objection to form.

24   A      We didn't do that survey, so I wouldn't -- I

25   don't know how respondents would have responded.       11:31AM
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 1    Q      I know you don't know based on a survey, but

 2    you know based on logic that that is possible;

 3    correct?

 4           MS. XIDIS:  Objection to form.

 5    A                                               11:31AM

 6           (Whereupon, the court reporter read

 7    back the previous question.)

 8    A      If the solution works faster, it is possible

 9    the damages would be larger.

10    Q      And if the solution worked more slowly?     11:32AM

11           MS. XIDIS:  Objection to form.

12    A      It's possible that the damages could be

13    smaller, the measured damages, excuse me, the

14    measured damages are smaller.

15    Q      The last bullet on this page indicates that   11:32AM

16    the severity of injuries to the Illinois River and

17    Tenkiller Lake are lower than these studies; do you

18    see that?

19    A      I see that.

20    Q      And this is Stratus Consulting's opinion in   11:33AM

21    November of 2004, that the severity of injuries in

22    the Illinois River and Tenkiller Lake are lower than

23    the other studies listed at the top of the page; is

24    that your understanding?

25    A      I don't know who wrote this or what their     11:33AM
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